GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department - Sri T.Naga Malleswara Rao, formerly P&E Sub-Inspector, Vinukonda, Guntur district - Allegations of possession of disproportionate assets and violation of APCS (Conduct) Rules, 1964 - Sanction accorded for prosecution for possession of disproportionate assets and departmental proceedings initiated for violation of APCS (Conduct) Rules, 1964 - Imposed punishment of "stoppage of one increment with cumulative effect" in the departmental proceedings - Charge Sheet filed in criminal proceedings and acquitted in C.C.No.25/2007 – Criminal Appeal No.463 of 5019 filed by ACB against acquittal – W.P.No. 6474/2021 filed by Sri T.Naga Malleswara Rao for release of pension benefits – Hon'ble High Court orders dated:14.07.2021 in W.P.No.6474/2021 - Implemented – Orders – Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No.12 Dated:07.01.2022

Read the following:

1) From the Director General, ACB, Hyderabad, (Final Report), Rc.No.73/RCA-VSK/2008, Dt.2-01-2010.
2) G.O.Ms.No.259, Revenue (Vig.V) Department, dated 28.02.2016.
3) Govt. Memo No. 22104/Vig.V(1)/2004, dated 6.2.2006.
4) Govt. Memo No.22104/Vig.V(1)/2004-16, dt.10.07.2009.
5) From the DG, ACB Lr.No.207-RCA-VGT/2001, dated:11.10.2018.
6) Govt. Memo No.CPE0CPEV(ACBC)/1/2018 VIG IV-REV, dt.12.11.2018.
7) Orders of Hon'ble High Court of A.P. dated:14.07.2021 in W.P.No. 6474/2021 filed by Sri T. Naga Malleswara Rao, P&E SI (Retd).

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ORDER :

Whereas, the Anti-Corruption Bureau registered a case of acquisition of assets disproportionate to the known sources of income against Sri T.Naga Malleswara Rao, formerly P&E Sub-Inspector, Vinukonda, Guntur district (Retired on 30.04.5010) and in the final report 1st read above, the Director General, Anti-Corruption Bureau has recommended to prosecute Sri T.Naga Malleswara Rao, formerly P&E Sub-Inspector, Vinukonda, Guntur district for possession of disproportionate assets and to initiate disciplinary proceedings for violation of conduct rules.

2. In respect of the disciplinary proceedings initiated for violation of Conduct Rules, after following due procedure, a major penalty of "stoppage of one increment with cumulative effect" has been imposed on Sri T.Naga Malleswara Rao, the then P&E Sub-Inspector, Vinukonda, Guntur district. In respect of prosecution, in the G.O. 2nd read above, sanction was accorded to prosecute Sri T.Naga Malleswara Rao, the then P&E Sub-Inspector, Vinukonda, Guntur district, in a court of law. Accordingly, the ACB Authorities have filed charge sheet in the Hon'ble SPE & ACB Court, Vijayawada.

3. In the letter 5th read above, the DG, ACB has informed that Sri T.Naga Malleswara Rao, S.I. P&E Station, Vinukonda, Guntur district was acquitted by the Court of the Special Judge for SPE & ACB Cases, Vijayawada in C.C.No.25/2007 on 23.07.2018 and requested the Government to permit the ACB to file an appeal in the High Court against the acquittal. In the Govt. Memo 6th read above, permission has been accorded to the DG, ACB to file an appeal in the Hon'ble High Court against the acquittal judgment of Hon'ble SPE & ACB Court, Vijayawada in C.C.No.25/2007.

4. Sri T.Naga Malleswara Rao, S.I. P&E Station, Vinukonda, Guntur district (Retired) has filed Writ Petition No.6474 of 2021 before the Hon'ble High Court for release of pensionary benefits, in view of his acquittal by the Court of the Special Judge for SPE & ACB Cases, Vijayawada in C.C.No.25/2007. The Hon'ble High Court, in its orders on 14.07.2021, while allowing the Writ Petition, has directed to

pay the full pension and other retirement benefits due to the petitioner within six weeks from the date of receipt of a copy of this Order along with interest at the rate of 10% from the date of acquittal granted by the criminal court till the date of actual payment.

5. Government, after careful examination of the matter and in compliance with the orders dated:14.07.2021 in W.P.No.6474 of 2021 of the Hon'ble High Court of A.P., hereby accord sanction to pay full pension and other retirement benefits to Sri T.Naga Malleswara Rao, S.I. P&E Station, Vinukonda, Guntur district (Retired) along with interest at the rate of 10% from the date of his acquittal by the ACB Court, subject to outcome of Criminal Appeal filed by the Anti-Corruption Bureau before the Hon'ble High Court of Andhra Pradesh.

6. The Commissioner of Prohibition & Excise shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri T.Naga Malleswara Rao, S.I. P&E Station, Vinukonda, Guntur district (Retired)
(through the Commissioner, Proh. & Excise, A.P., Vijayawada)
The Commissioner, Proh. & Excise, A.P., Vijayawada.
Copy to:
The Director General, ACB, A.P., Vijayawada.
The Secretary to VC, APVC, A.P.Secretariat, Velagapudi.
The Principal Accountant General (A&E), Vijayawada.
The Director of Treasuries and Accounts, A.P. Vijayawada.
Sf/Sc

//FORWARDED:: BY ORDER//

SECTION OFFICER